

COMMISSION CONFERENCE**FEBRUARY 17, 2004**

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Present: Mayor Naugle
Commissioners Hutchinson, Teel, Moore and Trantalis

Also Present: Acting City Manager
City Attorney
City Clerk
Sergeant At Arms – Sergeant Joe Ryan

I-A - Election Board for Certification of Civil Service Board Election Results

Mayor Naugle nominated Commissioner Hutchinson and Commissioner Moore to serve as members on the Election Board for Certification of Civil Service Board Election Results.

Alan Silva named himself to also be a member of this Board, and added that they would schedule this in the near future.

Action: Appointments made to the Committee, and schedules to be reviewed.

I-B – Adopt-A-Waterway Fundraising Program

Paul Polzzeto, Environmental Communications, stated that they had created a public/private partnership for the adopt-a-waterway, and explained they were helping cities throughout the Country to improve the conditions of their waterways by bringing in the private sector. He stated that Miami had been the first city outside of California to implement such a program. He explained that they provided a community outreach and education program that involved television, printed materials, outdoor signage, and radio to educate individuals to be a part of cleaning up urban runoff and protecting the waterways.

Commissioner Trantalis entered the meeting at approximately 1:41 p.m.

Mr. Polzzeto further stated that one of the elements of their program involved attractive outdoor signage that was educational, along with being a fundraising mechanism whereby the monies were split 50/50 with the city. He stated that the signs went for about \$300 per month, and therefore, each sign would produce \$150 per month for the city. He explained that with 50%, they would bring in the sponsors, distribute the funds, and produce radio and television, and printed materials. He stated that the City had no costs or risks attached to this program, and the only criterion was that the monies be spent on the City solving their water quality problems. He specified that the monies were to be used towards pollution and the discharge elimination system permit. He explained that additional City staff would not be needed, and explained they were audited on 30 days notice to ensure that the cities were receiving the funds. He further explained that the City had total control as to how many signs were erected and their locations, and who the sponsors would be.

Mr. Polzzeto stated that this program would have a three-quarters of a million dollar per year value to the City of Miami. He stated there would also be a television campaign

including public service announcements both in English and Spanish during prime time. No cost to the cities.

Commissioner Hutchinson stated that she had met with Mr. Polzzeta regarding this matter, and she realized that in accordance with standard procedure this matter should go before the Marine Advisory Board for their input since it involved the waterways. She suggested that this be placed on their next agenda. She stated they did have some water quality issues in certain areas, and she felt the City should pursue this program.

The City Commission agreed to have this matter go before the Marine Advisory Board.

Commissioner Moore asked if this was a not-for-profit organization or a for-profit organization. Mr. Polzzeta stated they were a for-profit organization, but consistent with the mission of non-profits, the City would ultimately be the beneficiary of the program. He explained that they would receive 50% of the monies from the signs, but how they spent their 50%, the City would benefit from their expenditures. He felt that more than 75% of the monies went to the City.

Commissioner Moore asked if they were operating as a closed corporation or a partnership. Mr. Polzzeta explained they were a limited liability corporation. He explained they also had a 501(c)3 non-profit foundation where they provided advocacy groups with funding from their portion of the 50%. Commissioner Moore asked if they were giving them the opportunity to reflect the foundation's contributions during the auditing. Mr. Polzzeta confirmed.

Commissioner Teel asked if staff had an opportunity to review this program.

Cecelia Hollar, Acting Public Services Director, stated they had briefly reviewed it, but they have not yet thoroughly examined the program. She explained they were in the process of gathering as much information as possible. She stated they would appreciate the Marine Advisory Board's input, and any other groups the City Commission might want to participate in this review.

Commissioner Teel stated that she would be interested in knowing how the other communities were using the program. Ms. Hollar confirmed that they were presently doing such research.

Commissioner Trantalis stated that he was concerned about the number of signs. He stated they were attempting to solve the water pollution issues, but were creating sign pollution. Mr. Polzzeta stated that he understood everyone's concern regarding signs, and therefore, he attempted to design signs that would be attractive. He explained these signs were a call for everyone to help and solve water issues.

Commissioner Moore suggested that when this matter was reviewed by the Marine Advisory Board that they also recommend the type of signage to be used. Mayor Naugle agreed and stated there was an exhibit in the package of materials showing size and location which could be reviewed.

Mr. Polzzeta stated they would provide a GIS map of where the signs would be located. He reminded everyone that the City had complete control over the number and location of signs. Mayor Naugle stated there could be some non-traditional locations for signage.

regarding this program, such as trash trucks and containers, and even the Pollution Solution.

Mr. Polzzeta reiterated that he was confident that this program could be very successful. He stated that the sponsors for Miami's program were Comcast, WCI Communities, Royal Caribbean, Celebrity Cruise Lines, FPL, and the Miami Herald.

Action: Program to be reviewed by the Marine Advisory Board and research done regarding how other cities conducted such a program.

I-C – Police and Firefighters Retirement Systems – Survivor Benefits

Terry Sharp, Finance Director, stated that Commissioner Hutchinson had requested that this item be brought before the Commission for further consideration. He stated that a memorandum had been written explaining the pros and cons of such an action. He stated that Mr. Schuller was present from the Retirees Association to answer any questions. He advised that the Retirees Association, the police officers and firefighters, along with their Pension Board, were recommending this change.

Mr. Schuller distributed some information and stated that this was an important issue. He stated that in 1999 the State Legislature stepped in and removed from the State Ordinance language that addressed the surviving widow. They stated that individuals retiring after the year 2000 could remarry and no deletion would occur in regard to their pensions. Prior to that time and with the inception of the plan in 1972, such language had been placed in the ordinance due to the thinking at that time. He stated that times had changed and that was why it had been removed from the ordinance. He explained that it stated if a person was a widow and received the pension from the employee, it would be her annuity for life. He further stated the standard benefit stated: "The standard benefit for 10 years certain and life." He explained that was provided for in the optional plans. He explained that the standard plan stated that if the employee were married at the time of death, the spouse would receive 100% of their pension for one year. After that, the surviving spouse would receive 60% of the pension until either death or remarriage. He stated that this matter involved trying to make 69 individuals whole again. He stated there would be no difference between a widow from 1999 as to 2001.

Mr. Schuller stated that last time this had been presented; the City Attorney had thought the optional form was in the pension system from the very beginning, but it was not. He explained there had been some confusion when they had recodified the information and assumptions had been made that this was provided for from the beginning. It was further reviewed and stated that this was not provided for from the year 1999 on back. He stated they were only asking that two words be dropped and everyone could be whole again. He stated that there were some people present from the Retirees Association. He stated that if someone wanted to remarry, it was their personal choice and there should not be some law affecting such a personal decision. He felt they should not be legislating morality to people, but should just make them whole again. He reiterated that they were asking the Commission to reconsider this matter. He stated that letters were written to priests and rabbis all the time regarding such situations. He stated that a recommendation had been made by Senator Dawson that this be reconsidered by the City Commission. He stated that actuarial studies submitted show that it would not cost additional money to the City.

Captain Rick Perez, Chairman Police and Fireman Pension System, stated that he had met with the Acting City Manager in December 2003 regarding this matter. At that time he had asked if the Board had endorsed this item, and he had confirmed that it had been endorsed unanimously prior to this time. He stated that since some changes had been made, it was suggested the matter be brought back before the Board once again. He stated the Board had voted 7-0 to endorse this item.

Tom Mangifesta, President of the Fort Lauderdale Fraternal Order of Police, stated that in one of the memorandums which had been distributed from the Finance Director outlined the pros and cons of repealing this ordinance. He stated that the plan discouraged marriage and penalized those individuals. He stated that #2 was even more important wherein it stated that the group would not increase actuarial costs. He explained that when someone retired under the standard plan, it was automatically assumed that if that retiree predeceases their spouse, such spouse would receive that pension for the remainder of their life. He stated they already took an actuarial reduction. He explained they did not receive 100% for the remainder of their years. He further explained the surviving spouse received 100% of the pension for the first 12 months, but then the benefit was reduced by 40%.

Mr. Mangifesta further stated that the Commission had to look at probabilities and he realized that, but some things had not happened in 34 years, and what was the chance of those things happening now. He reiterated that this was a diminishing group of people that would never grow due to the provisions of 99-1 adopted by the City in the year 2000. He further stated that since the adoption of 99-1, and the fact that the spouses of new retirees could remarry and not receive reduced benefits was unfair treatment between two groups of retirees, the firefighters and the police. He explained that older retirees did not have the options available to them that new retirees had. He stated the argument for not changing this was that there was no actuarial gain. He added there was no cost to the taxpayers. He further stated that negotiating benefit for retirees was not a mandatory subject for bargaining. He reiterated that the FOP and the fire union could not negotiate benefits for people already retired. He added that Johnson and Milinski absolutely refused to negotiate for such benefits.

Mr. Mangifesta stated it had been mentioned that the general employees could not enjoy the same benefits. He stated the City currently received each year \$2.7 Million from the State through premium tax monies for police and firefighters, and part of the provisions of that law state that for the cities to receive such monies, pension benefits for police officers and firefighters were to be enhanced over that of general employees.

Alan Eishenbaum, representing the Police and Firefighters Retirees Association, stated he had been practicing labor law in South Florida since 1978, and he argued every type of issue that appeared before retirement boards and/or a Commission on retirement issues. He remarked that this was the first time he had spoken on this issue and the reason that was because the retirement plans did not have a remarriage penalty. He explained the reason for that was because actuaries did not care about them. He added it was known as a statistical non-event. He stated that actuaries were concerned about events which were predictable and repeatable which could be used to assess a cost of a pension plan for the employer and the individuals contributing. He explained if he was to characterize the proper way for the Commission to look at this, it would be if they were looking at the detriment to the person suffering the penalty versus the cost to the City, they were asking someone to sustain what was a flood to them versus the City incurring

a drop of rain which evaporated before reaching the reservoir. He stated the actuary stated there was no cost to the City, but they would alleviate the burden on individuals who had found someone they wanted to marry, and their choice was not whether they had to sustain an economic hardship or sustain a moral compromise or unhappiness by rejecting such a relationship. He felt it was important for the Commission to realize there was no savings to either the City or the taxpayer and there was only the overriding burden and harm to the individuals affected.

Father David Peoples stated that he had a parishioner affected by this issue, and he wanted to implore the Commission to look at the facts and figures presented by the professionals showing no cost to the City, and then look at the faces of the widows who were alone. He reiterated those widows wanted to enjoy the benefits that their husbands had earned which should be passed along. He stated some individuals could face the loss of health benefits. He urged the Commission not to take away such benefits from individuals and let them do what they wanted above board.

Mayor Naugle stated that Commissioner Moore had been on the prevailing side the last time this was discussed, and he had not objected to having this discussion today. He reiterated that he had not changed his mind, had done the math, and had spoken with other experts. He stated that a single retiree could cost the taxpayers over \$1 Million, and they did not know how many instances could occur. He stated that he thought about the taxpayers who did not receive any pensions and only had social security who would have to shoulder the cost of the increase. He stated that the actuary stated there was no cost because they assumed the full cost. He further stated that this was another time when they talked about giving additional benefits outside of bargaining, and reiterated that there was no rule against them giving this as an incentive for a new contract. He continued stating that these were the types of things that got them into budget messes in the past. He reiterated that he would be uncomfortable in giving out a new benefit.

Commissioner Hutchinson reiterated that her vote would be the same, and she had been in favor of eliminating the remarriage clause previously. She continued stating that in reviewing the backup material provided by staff, if the actuary assumed and based their assumptions on the fact that the retirees would be married for a certain period of time, and then her question was what was the true increase and would there be one.

Mayor Naugle explained that the contribution made by the City to the pension fund assumed no one would drop out, but what it didn't say was that there would be no savings. Commissioner Hutchinson stated it would not cost the City money.

The Acting City Manager stated that there were two questions. One was in regard to savings and the other was whether they could actuarially adjust. He suggested if they were going to do this, then they should actuarially adjust based on the age of the retirees and their surviving spouses in order to ensure that there would not be an impact.

Commissioner Hutchinson asked how that could be done.

Robert Dunckel, Assistant City Attorney, stated that they needed to meet with the actuary and draft some preliminary approaches. He stated that currently under the post 99-1 group, one option available was to structure one's benefits for one's life and one's spouse's life which would be actuarially adjusted. He further stated that the actuary finds

if the difference in age was less than 5 years, then there would be no actuarially adjustment to be made.

Lynn Wenger, Plan Administrator, stated that was true under certain options. She stated that if one chose one of the newer options that were available, it would be reduced if the spouse were younger. Currently, she explained there was no 5-year rule, and every benefit was reduced unless one took the current standard benefit of 100% with a 60% survivor benefit.

Mr. Dunckel further stated that they would try and inject the actuarially adjustment back into the pre-99-1 group using the same principles. He added that there would be a reduction in benefits.

Commissioner Moore stated that his position did not change and when the law was structured in the past the employees had an opportunity to purchase annuities or additional life insurance to permit their spouses to live a certain life style. He stated that this Board did what they had to do when rules changed, and they had increased the benefit structure according to the law. Therefore, he did not think they should bounce back and forth when they were consistently challenged by the rules of the game.

Commissioner Teel stated that she wanted more information on this matter because they were hearing conflicting stories. She added that she also wanted more information regarding the actuarial costs and wanted to see the figures. She felt they needed to be cautious when making any changes.

Commissioner Trantalis asked if they voted in favor of making this change and it was determined there was an impact on the pension fund, then would there be a way for the City to rescind its vote. The Acting City Manager stated they could not. Commissioner Trantalis stated that he would vote in favor of this, if it did not cost the City any money.

The Acting City Manager explained it would cost the amount of savings they were going to forego which were already calculated into the fund. He further stated that he believed there would be an impact. He felt they needed to continue to explore this item before making any further decisions.

Mr. Dunckel stated they could have the actuary review this and return before the Commission explaining how it would be implemented.

Commissioner Trantalis stated that the labor attorney stated there would be no financial impacts, but now the Commission was discussing how to calculate the financial impact. He asked for some further clarification.

The City Attorney stated that the problem was that the actuary assumed there would be no remarriage as it currently existed, and therefore, there was more money in the plan than needed to be there because remarriage would take place. He explained that those savings would be lost and that was the issue. He stated that it was not going to be totally cost neutral because the actuaries could change their position each year.

Commissioner Hutchinson stated she was disappointed because she knew that some of the Commissioners wanted to put this bed once and for all, and she asked why all this

information could not have been supplied so the Commission could have made their decision.

Mr. Bentley stated that the Commission asked for this item to be scheduled for this meeting. He further stated it was not clear at the last meeting where the extent of the policy decision was going to go. He stated there were many different versions of this which could result in many different actuarial studies and until some policy decisions were made, they would not be able to provide specific information. He added there was no money budgeted for the actuarial reports.

Mayor Naugle stated that in collective bargaining for future contracts could the Commission voluntarily grant this benefit for past retirees. The City Attorney confirmed. Commissioner Moore stated that he hoped that would not be done. Mayor Naugle asked why this benefit was being discussed in the middle of the year. Commissioner Moore stated that the bargaining units did not negotiate for retirees, and he did not want that happening. He added that he personally did not want this discussion to continue. He remarked that this should not be done and stated that it did have an impact. He reiterated that when this pension fund did not perform well, then tax dollars were put into it so there could be a guaranteed return.

Mayor Naugle asked if the Commission felt they could make a decision on this matter at this time.

Commissioner Teel stated she wanted more information to be supplied, and Commissioner Trantalis agreed.

Mr. Schuller stated there appeared to be some confusion in regard to this matter. He explained there was an actuarial gain for the individuals before 2000. He stated that two studies were provided. One which was done prior to the new Commission and one after, and both stipulated the same thing that there was no actuarial cost to the plan or the City. He reiterated that there was no impact from this.

Commissioner Moore stated that adjustments could be made within the new plan that additional payments would be made to offer the extended survivor's benefit for their spouses. He stated this could have been done in the past, but not within the plan.

Action: Item to be discussed at the March 16, 2004 Commission Conference Meeting.

II-A – Action by Police and Fire Pension Board to Extend Additional Retirement Benefits

Mayor Naugle advised that the Acting City Manager was recommending that they appeal the decision.

Action: As recommended by the Acting City Manager.

I-D – Neighborhood USA (NUSA) 2004 Conference – Discussion on Funding Citizen Representatives

Commissioner Hutchinson stated that prior to the Acting City Manager coming on board, she had spoken with the previous City Manager about this item to make sure that CDBG monies could be used so there would be no impact to the budget to send representatives to this conference. She reiterated that it was going to be local. She further stated that in reading the CDBG funding language it stated: "At least 70% of the CDBG funds must be spent on all activities that benefit low or moderate income people." She stated that she assumed there was a 30% included that would give them the leeway to send representatives inside and outside the CDBG area using such funds. She stated that she wanted to see streets on the map that had been provided, and asked if some further clarification could be provided as to why they could not use such funding City-wide knowing they would send individuals from all areas of the City.

Commissioner Moore asked how much money was involved. Commissioner Hutchinson replied they were talking about \$5,000 because they were only paying for registration fees since it was local. Commissioner Moore stated this should just be taken from the General Fund, and then they would not have to mess with the Community Development Guidelines. Commissioner Hutchinson stated that many cities used this funding for the conference. She felt they needed further clarification as to what neighborhoods and districts were eligible, and maybe they could use a portion of the CDBG funds for the individuals from those areas.

Faye Outlaw, Interim Director Community Economic Development, stated that the 70% applied to CDBG activities. She added that the other 30% could go towards non-CDBG activities. She stated that since this activity was not in their annual plan, the only way they could do it would be as planning or administrative. She explained that under planning and administration, 100% had to be for CDBG eligible activities, and since it was not included in their plan, they would lose the opportunity for the 30%. She stated it could only be done if they went through a formal program amendment which involved a time element that could not be met. She explained that the pink areas on the map were the CDBG eligible areas. She explained further that they had used the census maps that were available.

The Acting City Manager explained the fees would come out of the General Fund and would be one per Commissioner that was outside of CDBG. He stated they would be participating to the tune of \$100 of the \$175, and therefore, the individual or association in non-CDBG areas would have to supply the remaining \$75. He added they had thought that since the CDBG areas were low-income areas, they would not require the match from those areas. He stated if the Commission wanted them to require the match, it could be done.

Commissioner Teel asked if some individuals were being sent by the Council. Commissioner Hutchinson confirmed and added that they could reduce the amount of individuals going.

Commissioner Moore asked if the City was going to fall apart if it wrote a check for \$5,000. Mayor Naugle stated that he did not support using the General Fund. Commissioner Moore felt the individuals should go and Commissioner Hutchinson

agreed. Mayor Naugle stated there was not a consensus to take the monies from the General Fund.

Commissioner Trantalis stated that it was important that the community activists attended this conference, but asked how they could justify the money to be spent during hard budget times.

Commissioner Moore stated he would raise \$1,000 for his district. Commissioner Hutchinson stated if she had an area in District IV that they could apply for CDBG funds, and then she intended to do so.

Ms. Outlaw stated she would provide the information by neighborhoods to Commissioner Hutchinson.

Commissioner Trantalis suggested that the neighborhood associations pay the fees. Commissioner Moore stated that was where he intended to ask for the \$1,000 for his district. Commissioner Teel stated that she felt people would be willing to help raise the money for the individuals who really wanted to attend. She stated it might be a smaller number, but she felt they could be more creative than taking the money from the CDBG funds.

Mayor Naugle stated he had no objection to the Acting City Manager's recommendation. The Acting City Manager clarified that \$500 would come from the General Fund.

Ms. Outlaw stated that 20 people would be funded through CDBG funds, and it would fund one-half of the other 5.

Action: As recommended.

I-E – Flight Restrictions at Pompano Beach Airpark

Mayor Naugle stated that letters would be prepared and sent.

Action: As recommended.

I-F – City Clerk Recruitment

Mayor Naugle stated that they had a proposed timetable regarding the interviews of the candidates. He added they had to determine a policy for reimbursement regarding travel expenses.

Mayor Naugle announced that interviews were scheduled for March 1, 2004. Commissioner Hutchinson remarked that one candidate was local, and therefore, reimbursement for expenses would not be necessary. It was stated that at the most \$2500 would be needed for reimbursement of expenses. The Acting City Manager stated that the funds would come from Contingencies.

Mayor Naugle stated that one of the Commissioners would participate in the negotiation of the contract with the City Attorney. Commissioner Hutchinson volunteered to work with the City Attorney in regard to the contract for the City Clerk. Mayor Naugle announced that the interviews of the candidates would take place on March 1, 2004, and

a discussion would be held at the Conference Meeting on March 2, 2004 regarding selection of the candidate, and then negotiation of the contract.

It was stated that if an individual were selected from out-of-town, then policy would have to be reached regarding relocation of that person. It was further stated that normally 3 quotes were received, but a maximum amount would have to be negotiated as part of the contract. It was stated that amounts had been spent as high as \$10,000.

Commissioner Moore left the meeting at approximately 2:41 p.m. and returned at 2:42 p.m.

Commissioner Moore asked how the interviews were to be conducted. He was informed that there would be one-on-one interviews on March 1, 2004.

Commissioner Moore stated he was pleased with the caliber of the applicants being presented.

Action: Personal interviews to be conducted on March 1, 2004 and candidates presented as a group on March 2, 2004, and a decision made by the Commission at that time.

II-B – Monthly Financial Report

The Acting City Manager stated that there had been a lot of concern last year about the City's insurance fund 543 and 545. He explained the 545 were the self-insurance fund for health insurance. He stated the City employee health insurance fund showed a surplus for the first time in its history. He explained that \$7 Million had been budgeted for expenses this year, and so far they had spent \$6.1 Million

Action: None taken.

II-C – Las Olas Area Parking Enforcement and Hours of Operation

Commissioner Hutchinson stated that they had gotten through the financial portion of raising the rates for certain areas, but the times for changing the concerned lots were not discussed. She added that the signs had gone up regarding towing. She asked why the hours were going to be changed and why were they going to close down the lots.

Commissioner Moore stated he thought they were attempting to keep the problem from starting in the area. Commissioner Hutchinson reiterated that for years it was 9:00 p.m. and it had not been enforced, and added that she had not received any complaints about the lots. She stated the issue was that the lots could not be used from 3:00 a.m. to 7:00 a.m.

Doug Gottshall, Parking and Central Services Manager, stated that the Commission had directed that the lots and streets be consistent with what was on the Boulevard. He reiterated that the Boulevard closed at 3:00 a.m.

Commissioner Trantalis stated that possibly the entire matter had not been thought through. Mr. Gottshall added that their plans were to install meters throughout the City

that would accept a debit or credit card. He stated that such meters should be installed in the area in the next 2-3 years.

Chris Goss, President of the Las Olas Association, stated that they had a lot of dissatisfaction with the meters. He added that they had contributed \$15,000 towards the multi-space meters that they hoped would be installed in the "H" lot on the north side of Las Olas. He further stated that when they had contributed those monies, they were not aware of the 3:00 a.m. to 7:00 a.m. towing.

Katie Adler, business owner, stated that her clients had many difficulties with the parking situation. She felt they were "cutting their noses to spite their faces." She stated it was "cruel" that the rates had been changed with no advance warning. She stated further that people did not carry an excess of quarters with them. She continued stating that they were discouraging the local residents, along with the tourists, from shopping and patronizing the businesses in the area.

Resident of Riverview Gardens stated that they were affordable housing in the City and many of their residents had overnight guests, and the lot across the street was going to be closed. She asked where people were expected to park in the area. She stated that they were not aware of the hours being changed. She felt they had to consider two different areas. She reiterated that they were an entertainment district.

Mayor Naugle asked if there could be some sort of rule that a car could be left locked, but no one permitted to loiter in the area. He asked if that would present any problems.

Commissioner Trantalis suggested that they suspend the towing after 3:00 a.m. because it was presently causing havoc.

Mayor Naugle asked if the police had any problems with people leaving cars overnight.

Officer Frank Adderley stated that the issues were the number of disturbances they had after 3:00 a.m., and having the tool to tow assisted them in solving the disturbances. Commissioners Trantalis and Hutchinson stated that they had never received any complaints and there must have been isolated instances that could happen anywhere.

Mayor Naugle asked if there were any rules for the lots at the Beach. Mr. Gottshall stated there were none, and the lots closed at 2:00 a.m. He advised that towing could be done in that area, but he did not believe any had been done. Mayor Naugle stated that he did not want people sitting in cars in the lots to be a burden on the surrounding neighborhoods.

Commissioner Hutchinson stated they needed to improve the system regarding the meters. She stated if they were going to raise the rates to \$.75, then they needed to move faster to integrate the lots.

Mr. Gottshall stated that the single-space meters for debit cards would be coming on board within the next couple of months.

Mayor Naugle stated that in the meantime they could suspend all towing, but he did not want to tie the hands of the police officers. Officer Adderley stated they would only respond to a disturbance and he doubted they would receive such a call in regard to an

unoccupied vehicle. Commissioner Hutchinson asked if code would report a vacant car in a lot at 3:15 a.m. Commissioner Trantalis suggested that towing be suspended until such time that a policy would be adopted.

Bud Bentley, Assistant City Manager, suggested they would suspend the towing for 6 months and the signs would be removed. During that time, they could collect data and work with the merchants and the residents regarding the lots.

John Hoezle explained that the debit card would go into the single-space meters. He explained further they were working with the meter manufacturer, Duncan, to open the slot and reprogram the meters to allow the use of the debit cards which would be sold at the Parking Division.

Mayor Naugle stated that some businesses provided parking for their patrons.

Commissioner Moore suggested that possibly the use of the debit card could be advertised through the merchants and neighboring homeowners associations and they could be acquired at those sites, instead of having to obtain them from the City. He felt they should make it more convenient for the patrons.

Commissioner Hutchinson asked what they meant by suspending the towing, but were still closing the lots at 3:00 a.m. Mr. Bentley stated that vacant cars would not be ticketed and nothing would be done, but if the car was not removed by 7:00 a.m. they would be ticketed.

Action: Towing to be suspended for 6 months. Staff to meet with merchants and residents and return with a recommendation.

II-D – Fort Lauderdale Baseball Stadium Property Development

Mayor Naugle stated that this item was also on the Commission's agenda this evening, and there was a statement from the FAA which had been made every time they discussed this property because they wanted it back in the aviation district so as to expand the airport. He further stated that the majority of the Commission had stated that they were interested in keeping it for recreation.

Commissioner Moore asked what would the aviation board want to do with the land.

Clare Bennett, Interim Director Executive Airport, stated they did not have a detailed plan at this time, but they envisioned the majority of the property converted into a non-aeronautical use putting the property back on the tax rolls. She stated that they could work with the local Economic Development Agencies, such as the Uptown Development Council, Broward Alliance, and Chamber of Commerce who wanted to attract businesses to the area to determine the types of needs they were encountering which could not currently be met. She stated that one thing could be a research park or some other type of function that would put the property back on the tax rolls and return a fair market value to the Airport. She further stated that the revenue they would generate in the transaction to the General Fund could be used to offset recreational uses in other areas of the City.

Commissioner Moore suggested that they look at all options available and have all information on the matter provided to them for review, otherwise, he felt they would be missing out on opportunities. He stated the Airport, as an Enterprise Fund, had been a well-operated fund. He felt if there was an option whereby they could generate an opportunity for a revenue stream which would lessen an increase to the tax base by utilizing land off the tax rolls, was an option they needed to explore. He did not think they would be serving the public properly without receiving such information.

Mayor Naugle stated that they had put out for bid the operation of the stadium facilities, and further discussions would be held this evening. He stated if they failed to come to an agreement, they would not be precluded from discussing this further. He further stated they had a valuable tenant at the stadium who contributed to the City's economy. He felt the stadium had a few more good years available. He remarked that he did not want to lose the tenant, nor the tradition of "spring training" available to them at this time.

Commissioner Moore stated that he agreed there was an economic impact to some degree having the Orioles come to the City, but he did not know the economic impact of what the Airport's proposal might be. He stated if they were looking to operate the government in an efficient manner, then possibly their proposal might be more beneficial than having the Orioles. He stated they had until the end of April regarding the Stadium, and they should allow the Airport time to present their proposal, along with the respondents for the RFP. He stated there was nothing making them act immediately. He reiterated that it made sense to look at all available options.

Mayor Naugle stated that developing land always gave back more than a recreational use.

Commissioner Teel asked if the Airport had done any studies regarding the change of use for the subject parcel. Ms. Bennett stated that 10 years ago when they did their master plan, they had looked at a development plan that had alternatives.

Commissioner Trantalis left the meeting at approximately 3:20 p.m.

Ms. Bennett stated they wanted to look at a draw for the area beyond building warehouses or office space that would provide an immediate return, but it would not necessarily be the best and highest use for the property.

Commissioner Hutchinson left the meeting at approximately 3:21 p.m.

Commissioner Teel asked if it would be easy to update the previous study. Mr. Bentley reminded everyone that was about 10-12 years ago, and the economic models have improved greatly. He stated he would not want to say that it would be worth the money to update that study. He added that originally the study had cost about \$40,000.

Commissioner Hutchinson returned to the meeting at approximately 3:22 p.m.

Commissioner Trantalis returned to the meeting at approximately 3:22 p.m.

The Acting City Manager stated that there was now a different panorama involved due to the Free Trade Zone, foreign trade, and biotech to the north. He remarked that if another study was to be done, then it had to be done from the ground up. He stated if there was

any part of the City that was the key, it would be the corridor around I-95, but then they would also have to address traffic and transportation issues.

Commissioner Teel stated that it was probably not easily obtainable information at this time. She stated further that she was hearing a certain amount of distress from the neighbors regarding developing that area. She felt it was something that might have to be addressed in the future. She reiterated that District I was one of the areas in the City which was under-served by recreational facilities and City parks. She further stated that having any major league baseball team was an asset to the City, along with an economic benefit. She stated the residents in her district were not asking that this property be developed, but possibly in the future it could be discussed. She stated that what she was hearing from the people was the desire to see the Orioles expand their opportunities and make it something more that could be used by the community.

Commissioner Teel continued stating that the residents were not interested in having this site used for a County Fair. She stated that one of the homeowners associations had stated they could run the fair and give the City \$100,000. Commissioner Teel stated that she did not feel the community would support a different type of use for the property at this time, but she would still like to receive the information for her review.

Action: Further discussion to be held at the Regular Meeting.

CLOSED DOOR SESSION

MEETING RECESSED AT 3:25 P.M.

MEETING RECONVENED AT 3:55 P.M.

III-B – Advisory Board and Committee Vacancies

Mayor Naugle announced that the Community Appearance Board asked for members to be appointed to their Board due to the large task they have ahead of them.

Beach Redevelopment Advisory Board

Commissioner Moore reappointed Ina Lee and Pamela Adams to the Beach Redevelopment Advisory Board.

Action: Formal action to be taken at the Regular Meeting.

Budget Advisory Board

Action: Deferred.

Cemeteries Board of Trustees

Commissioner Trantalis reappointed Joe Goldberg to the Cemeteries Board of Trustees.

Action: Formal action to be taken at Regular Meeting.

Code Advisory Committee

Action: Deferred.

Community Appearance Board

Commissioner Trantalis appointed William Hahne to the Community Appearance Board.

Commissioner Hutchinson appointed Ginger DeSimone to the Community Appearance Board.

Mayor Naugle appointed Joanne Johnsen to the Community Appearance Board.

Action: Formal action to be taken at Regular Meeting.

Community Services Board

Action: Deferred.

Economic Development Advisory Board

Action: Deferred.

Education Advisory Board

Action: Deferred.

Insurance Advisory Board

Action: Deferred.

Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Action: Deferred.

Nuisance Abatement Advisory Board

Commissioner Hutchinson asked that Ginnee Hancock be considered for the Nuisance Abatement Advisory Board. Commissioner Moore agreed. Mayor Naugle agreed to the appointment of Ginnee Hancock.

Action: Formal action to be taken at the Regular Meeting.

Unsafe Structures and Housing Appeals Board

Action: Deferred.

Utility Advisory Committee

Action: Deferred.

IV – Commission Reports**Tarpon River and Traffic Modifications for SW 5th Avenue**

Commissioner Hutchinson asked for a public hearing to be scheduled for March 16, 2004, at 6:00 p.m., in regard to traffic modifications for SW 5th Avenue under the Marshall Point Bridge. She stated it had been brought to her attention that due to the new construction taking place in the area, the community wanted the matter revisited. She further stated that Peter Partington and Dennis Girisgen had advised her that a public hearing had to be scheduled in order to do this. She advised they had an existing road closure, but they wanted to make some modifications to it, and at the same time look at SW 5th Avenue regarding traffic modifications.

Riverside Park Community Center

Commissioner Hutchinson stated that the Community Center at Riverside Park was almost completed, and there was a couple that were very instrumental in getting the facility built, and they were Charlie and Irene Radford. Due to their health, they had to relocate in Florida and had to downsize their life due to their age. The neighborhood was going before Parks and Recreation requesting that the facility be named after this couple. She stated they were both alive, and she believed that Parks and Recreation's policy was that the individuals had to be deceased. She asked that after this was discussed by Parks and Recreation, she wanted the Commission to do so. She remarked that the neighborhood was pretty adamant about this, and they wanted to have the ribbon cutting on April 9, 2004. She stated she did not want the issue to drag on.

Commissioner Moore explained it was the Commission's policy that nothing be named after individuals who were still living. Mayor Naugle replied it had always been a preference that the individuals were to be deceased, but such a recommendation had been made several times before. Commissioner Moore suggested that they review minutes of previous meetings where such items had been discussed.

Florida Neighborhood Conference

Commissioner Hutchinson stated that in 2000, the City had hosted the Florida Neighborhoods Conference with the County, and they had an account at the time where donations were funneled through. She announced there was about \$1,320 still in the account, and Commissioner Jacobs had brought this to her attention because they wanted to close the account since they were being charged \$16 per month in service charges. Commissioner Jacobs suggested that the money be donated to NUSA. Commissioner Hutchinson suggested that half be given to the County, and half to the City, and they offset what was coming out of the Community Economic and Development budget with \$660.

It was agreed to have the account closed.

Sweeting Estates Projects

Commissioner Moore stated that the Sweeting Estates project was the largest endeavor made to change a community for the better. He advised that they had entered into an agreement with Bank of America, New Visions, and the Community Development Division regarding properties. He explained there were 8 lots that the City owned, and the Bank had acquired about 32 lots. The goal was to accomplish 50 lots for development. Due to the relationship with New Visions, they had qualified some individuals for housing. He stated that Bank of America had continued to attempt to develop housing that would meet the income requirements, but due to delays for the land acquisition, title clearance, as well as the design of the homes, the housing costs had increased. Now, they were not able to meet the low to moderate income levels for the individuals who had been pre-qualified. He stated that Bank of America had even considered changing the general contractor in an attempt to reduce the cost of the homes, and were even exploring the possibility of redesigning the homes. He stated that he wanted to see what the Federal standard was regarding a low to moderate income cost for housing. He felt they were below the standard in their local jurisdiction. He asked where the City ranked at this time.

Faye Outlaw, Interim Director Community Economic Development, stated they followed the State Purchase Guidelines and new construction was capped at \$124,000. She explained the regulations allowed an increase if a market study was done of the area indicating that the market had risen above the purchase limits. She explained there was also an option that if another local entity had a higher purchase limit, then such limit could be adopted through resolution of the Commission, or the County's limit could be adopted through resolution.

Commissioner Moore asked if staff was aware of what the limits were for other entities. Ms. Outlaw stated that the County's limit went as high as \$200,000, the Housing Finance Agency went to \$145,000, and the City's limit was \$124,000. She stated that the CRA had bought the CDBG lots so they would not have to comply with the Federal regulations, however, the project was still designed to include a significant number of low to moderate income home buyers. She explained that the houses had risen to \$150,000, and the only way they could accommodate the individuals would be to adopt the County's limit. She stated that individuals making \$38,000 to \$40,000 could not afford houses above a certain amount, and banks would only finance them at about 2 ½ times their income. She stated that there were two units that were to have a groundbreaking next month and there was no financing in place, therefore, the bank agreed to hold those two units at \$124,000. She explained they were going to attempt to push those through the City's program so they could get the down payment and qualify for private financing.

Ms. Outlaw stated they needed to sit down with all parties involved for the remaining houses to see what could be done, and return to the Commission for policy direction.

Commissioner Moore stated that in trying to redevelop this area, he had always been sensitive to the fact that this was a low income community. He stated further that governments throughout the Nation always criticize that when they did redevelopment, they did it without a conscience of people with low to moderate incomes. He stated that his efforts throughout this redevelopment were to blend the areas together with people of different income levels. He urged the Commission to make sure such a mix would exist in this project.

Mayor Naugle stated they wanted mixed income in the area, and he supported raising the limit to the County's level. He continued stating that the way to accomplish having some units at the lower price were to make the units smaller. Commissioner Moore stated that could be an option and reiterated that Bank of America was looking at their designs, but one of the things about "mini" low to moderate income households were that they were bearing children, and therefore, needed more living space. He stated that another issue was that they could look at a different way of buying down through CED, and possibly they could contribute a certain amount of money as a down payment and still make it bankable.

Mayor Naugle asked how many square feet were the units. Commissioner Moore replied that the Bank of America properties being constructed at Sistrunk Boulevard going to the 30 lots ranged from 950 square feet to 1200 square feet. He remarked that these were not elaborate houses.

Ms. Outlaw stated that she bring back some further information regarding the housing units.

Commissioner Trantalis stated that the bottom line was that the City Commission was to consider subsidies in terms of individuals looking to purchase these homes. Commissioner Moore confirmed and stated he also wanted them to look at matching the County's limit. He reiterated that he really did not want the limit set at \$200,000, but if it were best for the people, then he would agree. He stated that he liked the Housing Finance Authority's limit at \$145,000 that might not need an additional down payment for purchase. He wanted the office to have the ability to explore other limits and not be stuck at \$124,000.

Commissioner Trantalis stated the question was how did they get to the price of the house, and asked if it included construction costs, along with land costs. Mayor Naugle remarked that they were not recovering the cost of the land. Commissioner Trantalis stated they were now looking to subsidize the cost of construction. Commissioner Moore stated they were only looking to assist with down payments.

22nd Road and 8th Street

Commissioner Moore stated that he had called the Chief of Police, as well as the Housing Authority of Broward County and the Sheriff's Department, in regard to drug sales at the intersection of 22nd Road and 8th Street. He stated there were a couple of convenience stores in the area that had been before the Nuisance Board numerous times, which had various code violations. He added there were a number of apartments in the area that had code violations. He asked that there be a concentrated effort to redesign the wall and planting material around the apartments which would deter individuals from sitting on the wall and loitering. He announced that there was going to be a meeting regarding this matter next Thursday.

NW 5th Street

Commissioner Moore stated that there was male prostitution taking place on NW 5th Street from 9:00 p.m. to 4:00 a.m., especially from Thursday to Sunday. He stated this was where the first housing project had been, and there were new homeowners over the last 10 years who were very frustrated with the reputation their neighborhood was

gaining. He stated there was a very negative impact on the area. He remarked that this was next to an elementary school, and the problem was increasing.

Bruce Roberts, Chief of Police, stated they had met with some of the residents, and the problem had been increasing. He stated they were addressing the problem and attempting to find out where the individuals were coming from. Commissioner Moore stated they were coming from the apartment complex located between the alley and 5th Street. Chief Roberts stated that SID and the County were also working on the problem.

Mayor Naugle stated this was at 5th Street and 10th Avenue, but that such a problem also existed at 8th Street and 5th Terrace NE. Chief Roberts stated they were aware of that situation also.

National Geographic Travel Magazine

Commissioner Trantalis stated that the City of Fort Lauderdale was featured in the National Geographic Travel Magazine. He continued stating that the article had mentioned that the City had lost their spring break image, and they were now showing off their clean beaches and classy boulevard (meaning Las Olas).

Commissioner Moore left the meeting at approximately 4:24 p.m.

Mayor Naugle stated that INK Magazine on February 24, 2004, was coming out with their list of top cities to do business, and Fort Lauderdale ranked 8th nationwide. He added that in a real estate publication, the City was listed as 6th in the nation for job growth.

Homeless Assistance Center

Commissioner Teel stated that she had gone to the Homeless Assistance Center last Friday, and announced that Congressman Clay Shaw and Mayor Lieberman had also been there. She stated that Roy Bernardi, Assistant Secretary of Housing and Urban Development (HUD), had attended from Washington, D.C. and presented the Mayor of Broward County with a check for over \$6 Million which was a grant that had been won by the continuum care effort that the County had put forth. She felt they should be congratulated on the facility functioning so well.

Mayor Naugle stated there was a nice article about Officer Russell in today's paper.

Commissioner Moore returned to the meeting at approximately 4:26 p.m.

Speed Humps NE 26th Street

Commissioner Teel stated that the President of Coral Ridge Homeowners Association had spoken about speed humps for NE 26th Street, and another meeting had been held by their Board of Governors who decided that was not what they wanted for the area since it was in conflict with their master plan. She stated they felt it would be better to approach the speeding problem on NE 26th Street in a different fashion.

Uptown Development Council

Commissioner Teel stated that the Uptown Development Council, which was part of the Chamber, was becoming very active in the area around Cypress Creek and the Airport. They were encouraging participation in their group regarding economic development. She stated they were going to hold a summit and more information would be forthcoming.

There being no further business to come before the Commission, the meeting was adjourned at 4:26 p.m.